

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. 03-CV-12497

PREMIER CAPITAL, LLC                     )  
    Plaintiff,                                 )  
   )  
    v.   )  
   )  
BEVERLY JOHNSON PENZELL,                )  
d/b/a Law Office of Kris E. Penzell       )  
and BEVERLY JOHNSON                     )  
PENZELL, as Personal                     )  
Representative of the Estate of         )  
Kris E. Penzell                             )  
    Defendants.                               )

**AFFIDAVIT OF JOSEPH W. CORRIGAN, ESQ.**  
**IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

I, Joseph W. Corrigan, being duly sworn depose and say as follows:

1. I am counsel for defendant Beverly Johnson Penzell, in her capacity as Personal Representative of the Estate of Kris Penzell.
2. Attached hereto as Exhibit A are true and accurate copies of designated excerpts of the Deposition of Beverly Johnson Penzell dated September 25 and 26, 2007 (Vols. I, II and III) and Penzell Dep. Exhibit 2, (Affidavit of Beverly Penzell dated February 9, 2004); Exhibit 4, (1999 Settlement Agreement and General Release between Kris Penzell and Bank of America); Exhibit 11 (Letter from Beverly Penzell to Nick Maimonis dated September 25, 2002); Exhibit 24 (June 4, 2003 letter from Thomas J. Morrissey to Beverly Penzell).
3. Attached hereto as Exhibit B are true and accurate copies of designated excerpts of the Deposition of Victor Rones dated September 24, 2007.

4. Attached hereto as Exhibit C is a true and accurate copy of the Order of the 11th Judicial Circuit Court in and for Miami-Dade County, Florida dated March 24, 2000, appointing Victor C. Rones inventory attorney for the Law Office of Kris Penzell, P.A.

5. Attached hereto as Exhibit D are true and accurate copies of fourteen (14) judgments obtained by Kris E. Penzell on behalf of Barnett Bank.

6. Attached hereto as Exhibit E are true and accurate copies of three (3) judgments obtained by Kris E. Penzell on behalf of NationsBank.

7. Attached hereto as Exhibit F are true and accurate copies of two (2) judgments obtained by Victor C. Rones as Inventory for the Estate of Kris E. Penzell.

8. Attached hereto as Exhibit G are true and accurate copies of designated excerpts of the deposition of Susan I. Noe dated September 24, 2007 and Noe Dep. Exhibit 8 (Letter from Susan I. Noe, Esq. to Nick Maimonis (Premier), dated August 6, 2002).

9. Attached hereto as Exhibit H are true and accurate copies of select documents produced by Premier Regarding its Purchase of Bank of America Judgments in response to this Court's Order dated February 2, 2007 on Ms. Penzell's Motion to Compel dated January 12, 2007.

10. Attached as Exhibit I is true and accurate copy of Bank of America's letter dated January 11, 2007 in response to Ms. Penzell's subpoena dated December 6, 2006 and enclosing documents with respect to Premier's purchase price of the pool of 84 judgments.

11. Attached as Exhibit J, are true and accurate copies of excerpt or the Deposition of Paul George dated March 23, 2007 and George Deposition Exhibit 6, Loan Sale Agreement dated September 28, 2001 between Premier Capital, LLC and Bank of America.

12. Attached as Exhibit K is true and accurate copy of the Order of the 11th Judicial Circuit Court in and for the County of Miami-Dade Florida on Agreed Motion to Substitute Inventory Attorney dated April 29, 2002.

13. Attached as Exhibit L is a true and accurate copy of Premier's Complaint in this matter.

14. Attached is Exhibit M is a true and accurate copy of the findings and Order of 11th Judicial Circuit in and for Miami-Dade County, Florida on the Motion for Further Direction.

15. Attached as Exhibit N is a true and accurate copy of Premier Capital, LLC's Motion to Amend dated January 10, 2005.

16. Attached as Exhibit O is a true and accurate copy of this Court's Order dated March 28, 2005 is attached as Exhibit O.

17. Attached as Exhibit P is a true and accurate copy of designated excerpts from the Deposition of Richard Storfer dated September 26, 2007 and Dep. Exhibit # 2 (Expert Report of Richard Storfer).

18. Attached as Exhibit Q is a true and accurate copy of designated excerpts from the Deposition of Jerald Freshman dated September 27, 2007 and Dep. Exhibit # 2 (Expert Report of Jerald Freshman).

Signed under the pains and penalties of perjury, this 31st day of October, 2007.

/s/ Joseph W. Corrigan  
Joseph W. Corrigan